

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION

UNITED STATES OF AMERICA)	
)	DOCKET NO. 5:21CR72-KDB
v.)	
)	FACTUAL BASIS
DAKOTA RAY MADDY)	
<hr/>)	

NOW COMES the United States of America, by and through Dena J. King, United States Attorney for the Western District of North Carolina, and hereby files this Factual Basis in support of the plea agreement filed simultaneously in this matter.

This Factual Basis is filed pursuant to Local Criminal Rule 11.2 and does not attempt to set forth all of the facts known to the United States at this time. By their signatures below, the parties expressly agree that there is a factual basis for the guilty plea(s) that the defendant will tender pursuant to the plea agreement, and that the facts set forth in this Factual Basis are sufficient to establish all of the elements of the crime(s). The parties agree not to object to or otherwise contradict the facts set forth in this Factual Basis.

Upon acceptance of the plea, the United States will submit to the Probation Office a "Statement of Relevant Conduct" pursuant to Local Criminal Rule 32.4. The defendant may submit (but is not required to submit) a response to the Government's "Statement of Relevant Conduct" within seven days of its submission. The parties understand and agree that this Factual Basis does not necessarily represent all conduct relevant to sentencing. The parties agree that they have the right to object to facts set forth in the presentence report that are not contained in this Factual Basis. Either party may present to the Court additional relevant facts that do not contradict facts set forth in this Factual Basis.

1. Between on or about November 9, 2020 and on or about November 13, 2020, in Caldwell County, within the Western District of North Carolina and elsewhere, the defendant knowingly made, printed, and published, and caused to be made, printed, and published, any notice and advertisement seeking and offering to receive, exchange, buy, produce, display, distribute, and reproduce, any visual depiction, the production of which visual depiction involved the use of a minor engaging in sexually explicit conduct and such visual depiction was of such conduct, knowing and having reason to know that such notice and advertisement would be transported using any means or facility of interstate or foreign commerce and in or affecting interstate or foreign commerce by any means including by computer, and such notice and advertisement was transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means including by computer.

2. During this time frame, Defendant was the administrator of a group chat on LiveMe that was dedicated to the trafficking of child pornography. As the administrator, he could add or delete members of the group. He required members to share child pornography in order to remain in the group. Members that did not share were removed by him. The Defendant also shared child pornography in the group and posted requests for other to send him child pornography.

DENA J. KING

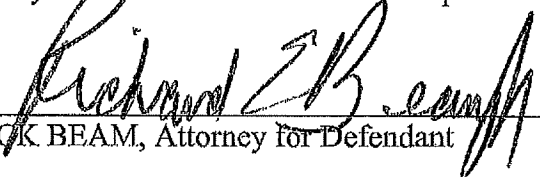
UNITED STATES ATTORNEY


CORTNEY RANDALL

ASSISTANT UNITED STATES ATTORNEY

Defendant's Counsel's Signature and Acknowledgment

I have read this Factual Basis, the Bill of Indictment, and the plea agreement in this case, and have discussed them with the defendant. Based on those discussions, I am satisfied that the defendant understands the Factual Basis, the Bill of Indictment, and the plea agreement. I hereby certify that the defendant does not dispute this Factual Basis.


RICK BEAM, Attorney for Defendant

DATED: 6/8/22